

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30382 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- BALIYA District- Begusarai

1. Suman Kumar Son Of Nawal Kishore Kunwar Resident Of Village - Gokhle Nagar Bishnupur, P.S. - Balia, District - Begusarai
2. Amit Kuamr @ Amit Kunwar Son Of Late Shivadhin Kunwar Resident Of Village - Gokhle Nagar Bishnupur, P.S. - Balia, District - Begusarai
3. Nawal Kishore Kunwar Son Of Late Gena Kunwar Resident Of Village - Gokhle Nagar Bishnupur, P.S. - Balia, District - Begusarai
4. Abhay Kunwar Son Of Late Shiv Dhin Kunwar Resident Of Village - Gokhle Nagar Bishnupur, P.S. - Balia, District - Begusarai
5. Arbind Kunwar Son Of Brahmdeo Kunwar Resident Of Village - Gokhle Nagar Bishnupur, P.S. - Balia, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Adv
For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Balia P.S Case No. 07 of 2024 dated 04.01.2024 registered for the offence punishable u/s 341, 323, 504, 506, 384, 379 and 34 of the Indian Penal Code.

3. As per the prosecution case, on 27.08.2023 the informant with his associates went to spread fertilizers on the field of maize and animal fodder then all the above named



accused persons stopped and abused them for which the informant gave written information to Circle Officer. All the accused persons have stopped them. On 12.11.2023 when the informant was ploughing his field then the Nawal Kishore Kunwar (petitioner no. 3) and Abhay Kunwar (petitioner no. 4) with intention to kill the informant fired upon him. The bullet passed by his temple. When the informant started fleeing away to save his life then all the petitioners surrounded the informant and started assaulting him and with intention to kill the informant kidnapped him and took him away towards the Ganga River. Abhay Kunwar and Nawal Kunwar snatched Rs. 8400/-. All the accused persons looted the fertilizers and seeds and demanded Rs. 50,000/- as extortion

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. It is submitted that both the parties are agnate and there is land dispute between the parties. It is further submitted that the allegation against the petitioner no. 3 and petitioner no. 4 to snatched Rs. 8400/- in cash is ornamental in nature and similarly the allegation against the petitioners to demand Rs. 50,000/- as extortion is false. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.



5. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, as well as the nature of allegation levelled against the petitioners, let the above named the petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai in connection with Balia P.S Case No. 07 of 2024, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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